

ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING THE TEACHER EXCELLENCE AND SUPPORT SYSTEM
October 2012

1.0 PURPOSE

- 1.01 The purpose of these rules is to establish the requirements and procedures concerning the Teacher Excellence and Support System.

2.0 REGULATORY AUTHORITY

- 2.01 These rules shall be known as the Arkansas Department of Education Rules Governing the Teacher Excellence and Support System.
- 2.02 These rules are enacted pursuant to the authority of the State Board of Education under Ark. Code Ann. §§ 6-11-105, 6-13-1305, 6-15-1004, 6-15-1402, 6-17-704, 6-17-705, 6-17-1504, 6-17-2801 through 6-17-2809, 6-20-2305, 25-15-201 et seq. and Act 1209 of 2011.

3.0 LEGISLATIVE INTENT AND PURPOSE

- 3.01 The State Board of Education notes that, with regard to the Teacher Excellence and Support System, it is the intent of the Arkansas General Assembly to:
- 3.01.1 Provide a program affording public school districts and public charter schools a transparent and consistent teacher evaluation system that ensures effective teaching and promotes professional learning;
- 3.01.2 Provide an evaluation, feedback, and support system that will encourage teachers to improve their knowledge and instructional skills in order to improve student learning;
- 3.01.3 Provide a basis for making teacher employment decisions;
- 3.01.4 Provide an integrated system that links evaluation procedures with curricular standards, professional development activities, targeted support, and human capital decisions;
- 3.01.5 Encourage highly effective teachers to undertake challenging assignments;
- 3.01.6 Support teachers' roles in improving students' educational achievements;
- 3.01.7 Inform policymakers regarding the benefits of a consistent evaluation and support system in regard to improving student achievement across the state; and

- 3.01.8 Increase the awareness of parents and guardians of public school students concerning the effectiveness of public school teachers.
- 3.02 The purposes of these rules are, without limitation, to:
 - 3.02.1 Recognize that student learning is the foundation of teacher effectiveness and many factors impact student learning, not all of which are under the control of the teacher or the school, and that evidence of student learning includes trend data and is not limited to a single assessment;
 - 3.02.2 Provide that the goals of the Teacher Excellence and Support System are quality assurance and teacher growth;
 - 3.02.3 Reflect evidence-based or proven practices that improve student learning. Nothing in these rules should be construed to prohibit teachers from using innovative approaches in the classroom;
 - 3.02.4 Utilize clear, concise, evidentiary data for teacher professional growth and development to improve student achievement;
 - 3.02.5 Recognize that evidence of student growth is a significant part of the Teacher Excellence and Support System;
 - 3.02.6 Ensure that student growth is analyzed at every level of the evaluation system to illustrate teacher effectiveness. The purpose of requirement is to ensure that student growth is taken into account during all phases of the teacher evaluation system;
 - 3.02.7 Require annual evidence of student growth from artifacts and external assessment measures;
 - 3.02.8 Include clearly defined teacher evaluation categories, performance levels, and evaluation rubric descriptors for the evaluation framework;
 - 3.02.9 Include procedures for implementing each component of the Teacher Excellence and Support System; and
 - 3.02.10 Include the professional development requirements for all superintendents, administrators, evaluators, and teachers to obtain the training necessary to be able to understand and successfully implement the Teacher Excellence and Support System.

Source: Ark. Code Ann. § 6-17-2802 and § 6-17-2804

4.0 DEFINITIONS

4.01 “Artifact” means a documented piece of evidence chosen by the teacher being evaluated, the evaluator, or both, that:

4.01.1 Relates to the evaluation rubric; and

4.01.2 Represents output from one (1) or more of the following, without limitation:

4.01.2.1 Lesson plans or pacing guides aligned with the state standards;

4.01.2.2 Self-directed or collaborative research approved by an evaluator;

4.01.2.3 Participation in professional development;

4.01.2.4 Contributions to parent, community, or professional meetings;

4.01.2.5 Classroom assessments including:

4.01.2.5.1 Unit tests;

4.01.2.5.2 Samples of student work, portfolios, writing, and projects;

4.01.2.5.3 Pre-assessments and post-assessments; and

4.01.2.5.4 Classroom-based formative assessments;

4.01.2.6 District-level assessments including:

4.01.2.6.1 Formative assessments;

4.01.2.6.2 Grade or subject level assessments;

4.01.2.6.3 Department-level assessments; and

4.01.2.6.4 Common assessments;

4.01.2.7 State-level assessments including:

4.01.2.7.1 End-of-course assessments;

- 4.01.2.7.2 Statewide assessments of student achievement; and
- 4.01.2.7.3 Career and technical assessments; and
- 4.01.2.8 National assessments including:
 - 4.01.2.8.1 Advanced placement assessments;
 - 4.01.2.8.2 Norm-referenced assessments; and
 - 4.01.2.8.3 Career and technical assessments.
- 4.02 “Evaluation” means the process under these rules used to:
 - 4.02.1 Assess with evidence what a teacher should know and be able to do as measured by the categories and performance levels of an evaluation framework; and
 - 4.02.2 Promote teacher growth through professional learning.
 - 4.02.3 “Evaluation” does not include a teacher’s performance relating to competitive athletics and competitive extracurricular activities.
- 4.03 “Evaluation framework” means a standardized set of teacher evaluation categories that provide the overall basis for an evaluation.
- 4.04 “Evaluation rubric” means a set of performance descriptors for each teacher evaluation category in the evaluation framework.
- 4.05 “Evaluator” means a person licensed by the State Board of Education as an administrator who is designated as the person responsible for evaluating teachers. “Evaluator” also includes public charter school administrators who are designated by their public charter schools as evaluators, even if the public charter school administrators do not hold an administrator’s license. While these rules allow for other school personnel to guide the interim teacher appraisal process, the designated evaluator remains responsible for conducting summative evaluations of teachers. Before conducting summative evaluations of teachers pursuant to these rules, a designated evaluator must successfully complete all training and certification requirements for evaluators as set forth by the Arkansas Department of Education. Prior to conducting summative evaluations of teachers pursuant to these rules, public charter school administrators who are designated evaluators must also successfully complete all training and certification requirements for evaluators as set forth by the Arkansas Department of Education, even if the public charter school administrators do not hold an administrator’s license. Public charter schools are nevertheless encouraged to employ or contract with licensed

administrators who serve as evaluators under the Teacher Excellence and Support System.

- 4.06 “External assessment measure” means a measure of student achievement or growth that is administered, developed, and scored by a person or entity other than the teacher being evaluated, except that the assessment may be administered by the teacher being evaluated if the assessment is monitored by a licensed individual designated by the evaluator. For public charter schools, the assessment may be administered by the teacher being evaluated if the assessment is monitored by a licensed individual designated by the evaluator or, if no licensed individuals are employed by the public charter school, a degreed teacher employed by the public charter school and designated by the evaluator.
- 4.07 “Formal classroom observation” means an announced visit to a classroom by an evaluator that:
- 4.07.1 Is preceded by a pre-observation conference to discuss the lesson plan and objectives;
- 4.07.2 Is conducted by an evaluator for at least seventy-five percent (75%) of the class period either by observing the teacher in the classroom or through the use of three-hundred-sixty-degree video technology. The length of time for a formal classroom observation of a teacher teaching in a block schedule or in a class period lasting longer than sixty (60) minutes may be adjusted to allow for an observation for forty-five (45) minutes or more of the teacher’s class period;
- 4.07.3 Facilitates a professional dialogue for the teacher and evaluator; and
- 4.07.4 Provides essential evidence of the teacher’s classroom practices.
- 4.08 “Formative assessment” means an evaluation of a student’s learning that is given before the student completes a course of instruction to foster the student’s development and improvement on a specific strand within the course of instruction.
- 4.09 “Informal classroom observation” means an observation conducted by an evaluator for the same purpose as a formal classroom observation but may be:
- 4.09.1 Unannounced; or
- 4.09.2 For a shorter period of time than a formal classroom observation.
- 4.10 “Intensive support status” means the employment status administered under this subchapter that is assigned to a teacher under Ark. Code Ann. § 6-17-2807 and Section 7.0 of these rules.

- 4.11 “Interim teacher appraisal” means a form of evaluation, other than a summative evaluation, that:
- 4.11.1 Provides support for teaching practices; and
 - 4.11.2 Uses standards for teacher growth and performance that are consistent with the evaluation rubrics for the teacher evaluation categories of a summative evaluation.
- 4.12 “Novice teacher” means a teacher having less than one (1) school year of public school classroom teaching experience.
- 4.13 “Post-observation conference” means a conference between the teacher and evaluator following a formal classroom observation to discuss:
- 4.13.1 The evaluator’s observations; and
 - 4.13.2 Artifacts presented by the teacher after the formal classroom observation.
- 4.14 “Pre-observation conference” means a conference between the teacher and evaluator to discuss goals and planned outcomes for a classroom lesson before a formal classroom observation.
- 4.15 “Probationary teacher” means the same as probationary teacher under Ark. Code Ann. § 6-17-1502.
- 4.16 “Statewide assessment of student achievement” means a statewide benchmark exam, end-of-course assessment, or a summative assessment of student achievement administered through:
- 4.16.1 The Arkansas Comprehensive Testing, Assessment, and Accountability Program Act, Ark. Code Ann. § 6-15-401 et seq.; or
 - 4.16.2 A program of Common Core assessments administered under rules of the State Board of Education.
- 4.17 “Summative assessment” means an evaluation of student achievement given at the completion of a course of instruction that cumulatively measures whether the student met long-term learning goals for the course.
- 4.18 “Summative evaluation” means an evaluation of a teacher’s performance that evaluates all categories of the evaluation framework that supports:
- 4.18.1 Improvement in the teacher’s teaching practices and student achievement; and

4.18.2 A school district's employment decision concerning the teacher.

4.19 "Teacher" means a person who is:

4.19.1 Required to hold and holds a teaching license from the State Board of Education as a condition of employment; and

4.19.2 Employed in a public school as a:

4.19.2.1 Classroom teacher engaged directly in instruction with students in a classroom setting;

4.19.2.2 Guidance counselor;

4.19.2.3 Library media specialist;

4.19.2.4 Special education teacher; or

4.19.2.5 The following teachers who instruct public school students:

4.19.2.5.1 Distance learning teachers;

4.19.2.5.2 Virtual charter school teachers;

4.19.2.5.3 Teachers at the Arkansas School for the Blind;

4.19.2.5.4 Teachers at the Arkansas School for the Deaf;

4.19.2.5.5 Teachers at the Arkansas Correctional School;

4.19.2.5.6 Instructional facilitators and instructional coaches; and

4.19.2.5.7 Teachers employed by education service cooperatives who instruct public school students.

4.19.3 "Teacher" also includes a nonlicensed classroom teacher employed at a public charter school under a waiver of teacher licensure requirements granted by the State Board of Education in the charter.

- 4.19.4 “Teacher” does not include a person who is employed full time by a school district or public school solely as a superintendent or administrator.
- 4.20 “Teacher Excellence and Support System” means a statewide teacher evaluation system that provides support, collaboration, feedback and targeted professional development opportunities aimed at ensuring effective teaching and improving student learning.
- 4.21 “Tested content area” means a teaching content area that is tested under a statewide assessment of student achievement.

Source: Ark. Code Ann. § 6-17-2803 as modified

5.0 SUMMATIVE EVALUATIONS

- 5.01 The evaluation framework for a summative evaluation for a classroom teacher shall include:
- 5.01.1 The following teacher evaluation categories (or domains):
- 5.01.1.1 Planning and preparation;
 - 5.01.1.2 Classroom environment;
 - 5.01.1.3 Instruction; and
 - 5.01.1.4 Professional responsibilities; and
- 5.01.2 An evaluation rubric using nationally accepted descriptors (or components) that consists of the following four (4) performance levels:
- 5.01.2.1 Distinguished;
 - 5.01.2.2 Proficient;
 - 5.01.2.3 Basic; and
 - 5.01.2.4 Unsatisfactory.
- 5.02 A summative evaluation shall result in a written:
- 5.02.1 Evaluation determination for the teacher’s performance level on each teacher evaluation category; and
- 5.02.2 Summative evaluation determination of the teacher’s performance level on all teacher evaluation categories as a whole.

- 5.03 A summative evaluation shall use an appropriate evaluation framework, evaluation rubric, and external assessment measurements for a teacher who is not a classroom teacher, including without limitation:
- 5.03.1 A guidance counselor;
 - 5.03.2 A library media specialist;
 - 5.03.3 A special education teacher; or
 - 5.03.4 The following teachers:
 - 5.03.4.1 Distance learning teachers;
 - 5.03.4.2 Virtual charter school teachers;
 - 5.03.4.3 Teachers at the Arkansas School for the Blind;
 - 5.03.4.4 Teachers at the Arkansas School for the Deaf;
 - 5.03.4.5 Teachers at the Arkansas Correctional School;
 - 5.03.4.6 Instructional facilitators and instructional coaches; and
 - 5.03.4.7 Teachers employed by education service cooperatives who instruct public school students.
- 5.04 In a tested content area, one-half (1/2) of the artifacts considered by the teacher and evaluator shall be external assessment measures chosen by the teacher and evaluator, or by the evaluator if the teacher and evaluator are unable to agree. The other one-half (1/2) of the artifacts in a tested content area shall consist of evidence related to each teacher evaluation category and their respective components and may include the artifacts set forth in Section 5.04.2 of these rules.
- 5.04.1 Except as provided in Section 5.04.2 of these rules for a nontested content area, one-half (1/2) of the artifacts considered by the teacher and evaluator, or by the evaluator if the teacher and evaluator cannot agree, shall be external assessments.
 - 5.04.2 If an external assessment measure does not exist for the nontested content area, the following types of artifacts may be used to satisfy the external assessment measure requirement under Section 5.04.1 of these rules.
 - 5.04.2.1 Knowledge measures, including without limitation, pre-tests, post-tests, or other written tests;

- 5.04.2.2 Performance measures used to evaluate student improvement in a particular subject matter during a semester or school year;
 - 5.04.2.3 Attitude/behavior measures used to evaluate student improvement during a semester or school year as reflected in parental and/or student surveys;
 - 5.04.2.4 Student performance in group projects or project-based learning activities; and
 - 5.04.2.5 Schoolwide measures, including without limitation:
 - 5.04.2.5.1 Attendance rate;
 - 5.04.2.5.2 Graduation rate; and
 - 5.04.2.5.3 Literacy scores.
- 5.05 A summative evaluation process shall include:
- 5.05.1 A pre-observation conference and post-observation conference;
 - 5.05.2 A formal classroom observation and informal classroom observation;
 - 5.05.3 Presentations of artifacts chosen by the teacher, the evaluator, or both;
 - 5.05.4 An opportunity for the evaluator and teacher to discuss the review of external assessment measures used in the evaluation;
 - 5.05.5 A written evaluation determination for each teacher evaluation category and a written summative evaluation determination.
 - 5.05.6 Feedback based on the evaluation rubric that the teacher can use to improve teaching skills and student learning; and
 - 5.05.7 Feedback from the teacher concerning the evaluation process and evaluator.
- 5.06 Student growth measures will be included in the summative evaluation process as set forth in Section 14.00 of these Rules.

Source: Ark. Code Ann. § 6-17-2805

6.0 TEACHER SUPPORT COMPONENTS

- 6.01 Except as provided in Section 6.03 of these rules, a teacher being evaluated and the evaluator, working together, shall develop a professional learning plan for the teacher that:
- 6.01.1 Identifies professional learning outcomes to advance the teacher's professional skills; and
 - 6.01.2 Clearly links professional development activities and the teacher's individual professional learning needs identified through the Teacher Excellence and Support System.
- 6.02 The professional learning plan shall require that at least one-half (1/2) of the professional development hours required by law or rule for a teacher are directly related to one (1) or more of:
- 6.02.1 The teacher's content area;
 - 6.02.2 Instructional strategies applicable to the teacher's content area; or
 - 6.02.3 The teacher's identified needs.
- 6.03 If a teacher and evaluator cannot agree on a professional learning plan, the evaluator's decision shall be final.
- 6.04 For a teacher in intensive support status, the evaluator or an administrator designated by the evaluator shall have final approval of the teacher's professional learning plan.
- 6.05 Until the teacher is removed from intensive support status, all professional development identified in the professional learning plan, except professional development that is required by law or by the public school where the teacher is employed, shall be directly related to the individual teacher's needs.
- 6.06 Interim teacher appraisals shall be used to support teachers on an ongoing basis throughout the school year and:
- 6.06.1 Provide a teacher with immediate feedback about the teacher's teaching practices;
 - 6.06.2 Engage the teacher in a collaborative, supportive learning process; and

- 6.06.3 Help the teacher use formative assessments to inform the teacher of student progress and adapt teaching practices based on the formative assessments.
- 6.07 The interim teacher appraisal process may be guided in whole or in part by an evaluator or by one (1) or more of the following persons designated by the evaluator:
- 6.07.1 A teacher designated by an administrator as a leader for the teaching content area of a teacher who is being evaluated;
- 6.07.2 An instructional facilitator;
- 6.07.3 A curriculum specialist; or
- 6.07.4 An academic coach for the teacher's content area.
- 6.07.5 As noted in Section 4.05 of these Rules, while other school personnel may guide the interim teacher appraisal process, the designated evaluator remains responsible for conducting summative evaluations of teachers.
- 6.08 The Teacher Excellence and Support System also shall include novice teacher mentoring and induction for each novice teacher employed at the public school that:
- 6.08.1 Provides training, support, and follow-up to novice teachers to increase teacher retention;
- 6.08.2 Establishes norms of professionalism; and
- 6.08.3 Leads to improved student achievement by increasing effective teacher performance.
- 6.08.4 Novice teachers shall undergo mentoring and induction as otherwise set forth by Arkansas law or rules of the State Board of Education.

Source: Ark. Code Ann. § 6-17-2806

7.0 INTENSIVE SUPPORT STATUS

- 7.01 An evaluator shall place a teacher in intensive support status if the teacher has a rating of "Unsatisfactory" in any one (1) entire teacher evaluation category of the evaluation framework.

- 7.02 An evaluator may place a teacher in intensive support status if the teacher has a rating of “Unsatisfactory” or “Basic” in a majority of descriptors in a teacher evaluation category.
- 7.03 If a teacher is placed in intensive support status, the evaluator shall:
- 7.03.1 Establish the time period for the intensive support status; and
 - 7.03.2 Provide a written notice to the teacher that the teacher is placed in intensive support status. The notice shall state that if the teacher’s contract is renewed while the teacher is in intensive support status, the fulfillment of the contract term is subject to the teacher’s accomplishment of the goals established and completion of the tasks assigned in the intensive support status.
- 7.04 The period of time specified by the evaluator for intensive support status shall afford the teacher an opportunity to accomplish the goals of and complete the tasks assigned in the intensive support status.
- 7.05 Intensive support status shall not last for more than two (2) consecutive semesters unless the teacher has substantially progressed and the evaluator elects to extend the intensive support status for up to two (2) additional consecutive semesters.
- 7.06 The evaluator shall work with the teacher to:
- 7.06.1 Develop a clear set of goals and tasks that correlate to:
 - 7.06.1.1 The professional learning plan; and
 - 7.06.1.2 Evidence-based research concerning the evaluation category that forms the basis for the intensive support status; and
 - 7.06.2 Ensure the teacher is offered the support that the evaluator deems necessary for the teacher to accomplish the goals developed and complete the tasks assigned while the teacher is in intensive support status.
- 7.07 If the intensive support status is related to student performance, the teacher shall use formative assessments to gauge student progress throughout the period of intensive support status. The teacher shall be offered the support necessary to use formative assessments under these rules during the intensive support status.
- 7.08 At the end of the specified period of time for intensive support status, the evaluator shall:

- 7.08.1 Evaluate whether the teacher has met the goals developed and completed the tasks assigned for the intensive support status; and
- 7.08.2 Provide written notice to the teacher that the teacher either:
 - 7.08.2.1 Is removed from intensive support status; or
 - 7.08.2.2 Has failed to meet the goals and complete the tasks of the intensive support status.
- 7.09 If a teacher does not accomplish the goals and complete the tasks established for the intensive support status during the period of intensive support status, the evaluator shall notify the superintendent of the school district where the teacher is employed and provide the superintendent with documentation of the intensive support status.
- 7.10 Upon review and approval of the documentation, the superintendent shall recommend termination or nonrenewal of the teacher's contract.
 - 7.10.1 A recommendation for termination or nonrenewal of a teacher's contract under these rules shall be made pursuant to the authority granted to a superintendent for recommending termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.
 - 7.10.2 When a superintendent makes a recommendation for termination or nonrenewal of a teacher's contract under Section 7.10 of these rules, the public school:
 - 7.10.2.1 Shall provide the notice required under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq., but is exempt from the provisions of Ark. Code Ann. § 6-17-1504(b); and
 - 7.10.2.2 If the public school has substantially complied with the requirements of Section 7.10 of these rules, is entitled to a rebuttable presumption that the public school has a substantive basis for the termination or nonrenewal of the teacher's contract under the applicable standard for termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq. The presumption may be rebutted by the teacher during an appeal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.

- 7.11 These rules do not preclude a public school superintendent from:
- 7.11.1 Making a recommendation for the termination or nonrenewal of a teacher's contract for any lawful reason under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. § 6-17-1501 et seq.; or
 - 7.11.2 Including in a recommendation for termination or nonrenewal of a teacher's contract under this section any other lawful reason for termination or nonrenewal under the Teacher Fair Dismissal Act of 1983, Ark. Code Ann. Ark. Code Ann. § 6-17-1501 et seq.

Source: Ark. Code Ann. § 6-17-2807

8.0 GENERAL REQUIREMENTS AND IMPLEMENTATION

- 8.01 Each teacher employed by the board of directors of a school district shall be evaluated in writing under the Teacher Excellence and Support System.
- 8.02 At a time other than an evaluation conducted under the Teacher Excellence and Support System, if a superintendent or other school administrator charged with the supervision of a teacher believes or has reason to believe that the teacher is having difficulties or problems meeting the expectations of the school district or its administration and the administrator believes or has reason to believe that the problems could lead to termination or nonrenewal of contract, the superintendent or other school administrator shall:
- 8.02.1 Bring in writing the problems or difficulties to the attention of the teacher involved; and
 - 8.02.2 Document the efforts that have been undertaken to assist the teacher to correct whatever appears to be the cause for potential termination or nonrenewal.
- 8.03 Annually during a school year, a public school shall conduct a summative evaluation for every teacher employed in the public school who is a:
- 8.03.1 Novice teacher;
 - 8.03.2 Probationary teacher; or
 - 8.03.3 Teacher who successfully completed intensive support status within the current or immediately preceding school year.
- 8.04 At least one (1) time every three (3) school years, a public school shall conduct a summative evaluation for a teacher who is not in a status under Section 8.03 of these rules. Nothing in this rule shall be construed to prevent a public school

from conducting a summative evaluation of a teacher more often than one (1) time every three (3) school years.

- 8.05 In a school year in which a summative evaluation is not required for a teacher under Section 8.04 of these rules, the teacher:
- 8.05.1 Shall focus on elements of the teacher's professional learning plan as approved by the evaluator that are designed to help the teacher improve his or her teaching practices; and
- 8.05.2 With the evaluator's approval may:
- 8.05.2.1 Collaborate with a team of teachers on a shared plan that benefits the whole school, a content area, or a grade level; or
- 8.05.2.2 Conduct self-directed research related to the teacher's professional learning plan under Ark. Code Ann. § 6-17-2806 and Section 6.0 of these rules.
- 8.06 During the two (2) years in which a summative evaluation is not required, a public school may conduct an evaluation that is lesser in scope than a summative evaluation but uses the portions of the evaluation framework and evaluation rubrics that are relevant to the evaluation.
- 8.07 A teacher shall:
- 8.07.1 Participate in the Teacher Excellence and Support System, including without limitation in:
- 8.07.1.1 Classroom observations; and
- 8.07.1.2 Pre-observation and post-observation conferences; and
- 8.07.2 Collaborate in good faith with the evaluator to develop the teacher's professional learning plan under Ark. Code Ann. § 6-17-2806(a) and Section 6.0 of these rules. If a teacher and evaluator cannot agree on the professional learning plan, the evaluator's decision shall be final.
- 8.07.3 A failure to comply with Section 8.07 of these rules may be reflected in the teacher's evaluation.
- 8.08 A public school that in the 2012-2013 and 2013-2014 school years uses a nationally recognized system of teacher evaluation and support that is substantially similar to the Teacher Excellence and Support System may continue to use that system and is deemed to have met the requirements of Section 8.0 of

these rules. In order for a public school to continue to use an alternate, nationally recognized system of teacher evaluation and support that is substantially similar to the Teacher Excellence and Support System beyond the 2013-2014 school year, the public school shall submit the following in writing to the Arkansas Department of Education, Assistant Commissioner for Human Resources and Licensure, by December 31, 2012:

8.08.1 The name of the alternate, nationally recognized system of teacher evaluation and support; and

8.08.2 A brief description of the alternate, nationally recognized system of teacher evaluation and support, including an explanation of how it is substantially similar to the Teacher Excellence and Support System.

8.08.3 The Arkansas Department of Education Assistant Commissioner for Human Resources and Licensure shall, by March 31, 2013, approve or deny the continued use of the alternate, nationally recognized system of teacher evaluation and support beyond the 2013-2014 school year.

Source: Ark. Code Ann. § 6-17-1504 and § 6-17-2808

9.0 ADMINISTRATOR EVALUATIONS

The Department of Education shall provide technical assistance to school districts for developing and implementing instruments to evaluate administrators that weight an administrator evaluation on student performance and growth to the same extent as provided for teachers under the Teacher Excellence and Support System.

Source: Ark. Code Ann. § 6-17-2809

10.0 INCORPORATION INTO SCHOOL DISTRICT CONTRACTS AND POLICIES

10.01 Pursuant to Ark. Code Ann. § 6-13-1305, the policy adopted by local school district boards of directors to implement site-based decision making shall address teacher evaluations, professional learning plans, and teacher support under the Teacher Excellence and Support System, Ark. Code Ann. § 6-17-2801 et seq.

10.02 Every teacher contract renewed or entered into after July 27, 2011 is subject to and shall reference Title 6, Chapter 17, Subchapter 28 of the Arkansas Code.

Source: Ark. Code Ann. § 6-13-1305 and § 6-17-2808

11.0 PROFESSIONAL DEVELOPMENT, LICENSING AND FUNDING

11.01 Pursuant to Ark. Code Ann. § 6-15-1004, to renew a teaching license, a teacher shall participate in continuing education and professional development:

- 11.01.1 Based on the teacher's evaluation and professional learning plan under the Teacher Excellence and Support System;
 - 11.01.2 As required under Ark. Code Ann. § 6-17-704 and other law; and
 - 11.01.3 As required by the State Board of Education.
- 11.02 Licensed personnel may earn the twelve (12) hours of professional development credit required under Ark. Code Ann. § 6-17-405 through online professional development credit approved by the Department of Education and related to the:
- 11.02.1 School district's Arkansas Comprehensive School Improvement Plan; or
 - 11.02.2 Teacher's professional learning plan under the Teacher Excellence and Support System.
- 11.03 A teacher shall complete any missed hours of professional development through professional development that is:
- 11.03.1 Substantially similar to the professional development missed and approved by the person responsible for the teacher's summative evaluation under the Teacher Excellence and Support System; and
 - 11.03.2 Delivered by any method, online or otherwise, approved by the Department of Education under the State Board of Education rules.
- 11.04 Funding for professional development for teachers in Arkansas public schools required under the Teacher Excellence and Support System, other law or rule, or by the school district shall be used for professional development activities and materials that:
- 11.04.1 Improve the knowledge, skills, and effectiveness of teachers;
 - 11.04.2 Address the knowledge and skills of administrators and paraprofessionals concerning effective instructional strategies, methods, and skills;
 - 11.04.3 Lead to improved student academic achievement; and
 - 11.04.4 Provide training for school bus drivers as outlined in rules promulgated by the State Board of Education.

Source: Ark. Code Ann. § 6-15-1004; § 6-17-704; § 6-17-705; and § 6-20-2305

12.0 SCHOOL PERFORMANCE REPORT

Beginning with the 2017-2018 school year, for the school year covered by a school performance report pursuant to Ark. Code Ann. § 6-15-1402, the school performance report shall include:

- 12.01 The total number of teachers who are employed in the public school; and
- 12.02 Of that total, the number who meet each of the following criteria:
 - 12.02.1 Highly qualified teacher;
 - 12.02.2 Identified as proficient or above under the Teacher Excellence and Support System for the school; and
 - 12.02.3 Certified by the National Board for Professional Teaching Standards.

Source: Ark. Code Ann. § 6-15-1402

13.0 EFFECTIVE DATE

Beginning in the 2014-2015 school year, a public school shall implement the Teacher Excellence and Support System for all teachers employed at the public school under these rules established by the State Board of Education.

Source: Ark. Code Ann. § 6-17-2808

14.0 STUDENT GROWTH MEASURES

- 14.01 The following student growth measures will be incorporated into the summative evaluation process prior to the implementation of the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment system:
 - 14.01.1 In grades and subjects where growth model data are available, and of sufficient number of students to support reliable inferences, the Arkansas Comprehensive Testing, Assessment and Accountability Program (ACTAAP) assessments will be used as external assessments in the determination of teacher's ratings.
 - 14.01.2 No teacher will be designated as Distinguished unless that teacher's summary growth statistics meet or exceed a threshold of growth among all teachers in the state.
 - 14.01.3 If a teacher's summary growth statistics do not meet the applicable threshold of growth for the two consecutive years immediately preceding the teacher's evaluation, the teacher's summative evaluation determination

set forth in Section 5.02.2 of these rules shall be lowered by one performance level.

- 14.01.4 For the 2012-2013 school year, the Department of Education shall establish the applicable growth threshold(s) and will disseminate the threshold(s) to all public school districts and open-enrollment charter schools.
- 14.01.5 The applicable growth thresholds shall be initially based upon one or more of the following growth models:
 - 14.01.5.1 The federally-approved Growth-to-Standard Model;
 - 14.01.5.2 The Student Growth Percentile Model;
 - 14.01.5.3 The Gains Index Model.
- 14.02 In order to allow for further review of the proposed PARCC assessments, the Arkansas Department of Education shall establish applicable growth models following the full implementation of the PARCC assessment system. Beginning with the 2015-2016 school year, the PARCC assessment will be used as the external assessment measure required by these rules and the Teacher Excellence and Support System.
- 14.03 The applicable growth models established by the Arkansas Department of Education shall be used for all growth determinations necessary for compliance with these rules and the Teacher Excellence and Support System.